

JPW



Practitioner's Docket No. 2757/101

MAR 26 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Marc O. Schurr

Application No.: 10/722,109
Filed: 11/25/2003
For: Medical Implant

Group No.: 3738
Examiner: Matthews, W.H.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.

STATUS

- Applicant is other than a small entity.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

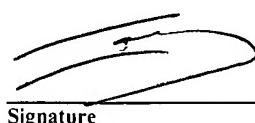
- 37 C.F.R. § 1.8(a)**
 with sufficient postage as first class mail.

37 C.F.R. § 1.10*

- as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (**mandatory**)

TRANSMISSION

- facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.



Signature

Date: March 20, 2007

Timothy M. Murphy
(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	OTHER THAN A SMALL ENTITY				
TOTAL	9	-	28	=	0	x	\$ 50.00 = \$ 0.00
INDEP.	2	-	3	=	0	x	\$ 200.00 = \$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	=	\$ 0.00
				TOTAL ADDIT. FEE		\$	0.00

No additional fee for claims is required.

FEE DEFICIENCY

5. If an additional extension and/or fee is required, charge Account No. 19-4972.

If an additional fee for claims is required, charge Account No. 19-4972.

Date: March 20, 2007



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02757/00101 638032.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Schurr Att'y Docket: 2757/101
Serial No: 10/722,109 Examiner: Matthews, W.H.
Date Filed: November 25, 2003 Art Unit: 3738
Invention: Medical Implant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **March 20, 2007**.


Timothy M. Murphy

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the Office Action mailed on December 20, 2006, Applicants respond as follows.

Amendments to the Claims begin on page 2 in this paper.

Remarks begin on page 4 of this paper